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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,188	05/24/2000	Rahul Sharma	A-69408/SFC/DCA	7397
32291	7590	10/05/2004	EXAMINER	
MARTINE & PENILLA, LLP 710 LAKEWAY DRIVE SUITE 170 SUNNYVALE, CA 94085			ENG, DAVID Y	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/577,188	Applicant(s) SHARMA, RAHUL	
	Examiner DAVID Y. ENG	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2004.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 12-22 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claims 1-11 have been cancelled. The active claims are 11-22.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 12-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Details of the rejection have already been set forth in the last Office. The details are incorporated herein by reference thereto.

In response to the rejection, Applicants point to the deployment codes shown on pages 13-18. Note that the deployment codes are disclosed for retrieving the configuration properties from the deployment descriptor for the resource adapter and for creating an instance of Managed Connection Factory implementation class and configures properties on the instance. The claims did not recite any of that. Rather, the claims recite packaging and deploying (see claim 12). There is not disclosure as to how packaging and deployment are being done nor how the steps of packaging and deployment would render a resource adapter being provided. The claims (see claim 18) recite connector provider for creating resource adapter and deployer for deploying the resource adapter as crested into a target operational environment based on properties defined in the deployment descriptor. No such provider or creator and deployer are

disclosed. If Applicants disagree, Applicants are requested to map, in detail and with explanation if not obvious, the claims into the specification.

Claims 12-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Details of the rejection have already been set forth in the last Office. The details are incorporated herein by reference thereto.

With respect to the remarks directed to section 112, 2nd paragraph rejection, scope of the claims is not clear. Note that provider, creator and deployer are not technical terms and their functions are not clear. For example, the deployer is recited for deploying the resource adapter into a target operational environment based on properties defined in the deployment descriptor. What actually does this piece of component do in order to deploy itself into a target operational environment? The preamble calls for an electronic system. It is not seen how an electronic equipment can have non-electronic equipment as components.

Claims 12 and 18 are rejected under 35 U.S.C. 102(a) as being anticipated by Franco (USP 6,687,745).

Claims 13-17 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franco (USP 6,687,745).

Details of the rejections have already been set forth in the last Office. The details are incorporated herein by reference thereto.

In the communication filed on June 22, 2004, Applicants contended that Franco does not teach the enterprise information system. The Examiner disagrees. The system of Franco clearly is an enterprise information system because 1. the system of Franco is for processing information, 2. the system of Franco meets the limitations recited in the claim combination and 3. the system of Franco meets the definition of EIS in the specification (see page 1) because the Franco system is also for providing an information infrastructure to an enterprise in a client-server computer system configuration. Applicants fail to explain why the system of Franco is not an enterprise information system. Merely stating that Franco did not label his system as enterprise information system is not sufficient to overcome the rejection.

Applicants contended that Franco does not teach a connector provider that creates the resource adapter. However, Applicants agrees that Franco has a resource adapter. Note that a resource adapter is required to be created. A resource adapter therefore inherently has a creator (connector provider) for creating the resource adapter. Note that the specification fails to disclose details of a resource adapter creator (connector provider) to show how a resource adapter is created by the connector provider.

With respect to the remarks directed to claim 12 and 18, it appears that Applicants do not understand the Examiner's interpretation of the claims. The languages of claims 12 and 18 are again interpreted as follow:

Claim 12. a method to provide a resource adapter (memory labeled as resource adapter for storing useable resources such as libraries, see line 7 of column 29) that

Art Unit: 2155

collaborates (being accessed) with an application server (see application server 40, line 10, column 29) to provide services offered by an enterprise information system (the business entity which provides the services of providing the resources), comprising:

Packaging (put together or downloading) a deployment descriptor (droplet-enabled applications, line 56-10, column 29) into the resource adapter (memory); and

Deploying the resource adapter (run or execute the application programs in the memory) into a target operational environment (in the environment of intended use of the applications) based on properties defined in the deployment descriptor (based on the instructions defined in the application programs, see "run under the control of application drivers on a remote server such as the application server 40" in lines 8-10 of column 29).

Claim 18. A system (the system of Franco) to provide a resource adapter (see interpretation in claim 12 above) that collaborates (being accessed) with an application server (see interpretation in claim 12 above) to provide services offered by an enterprise information system (EIS) (see interpretation in claim 12 above), comprising:

a connector provider (inherent because resource adapter is required to be created) to create the resource adapter, the connector provider specifying a deployment descriptor (see interpretation in claim 12 above) in the resource adapter; and

a deployer (the system in Franco which uses the adapter) to deploy the resource adapter into a target operational environment based on properties defined in the deployment descriptor (see interpretation in claim 12 above).

With respect to claims 13-15, configuring an electronic equipment is well known in the art. The system of Franco is properly configuration also because it is a workable system.

With respect to claims 16-17, the memory of Franco is packed with different applications also.

With respect to claim 19, an electronic system is inherently has connectors.

Claims 20 and 22 merely recites intended use of a memory.

With respect to claim 21, Franco has all the information required to run the system.

If the above interpretation is not what Applicants intend to claim, Applicants are requested to explain what the claimed invention **technically** does differently than Franco and why it is patentable over Franco. Simply pointing out what a claim requires with no attempt to point out how the claim patentably distinguishes over the prior art does not amount to a separate argument for patentability. In re Nielson, 816 F.2d 1567, 1572, 2 USPQ2d 1525, 1528 (Fed. Cir. 1987). Applicants are further requested to map the claims into the specification to show support of their interpretation. 37CFR 1.75d1 and 1.83a.

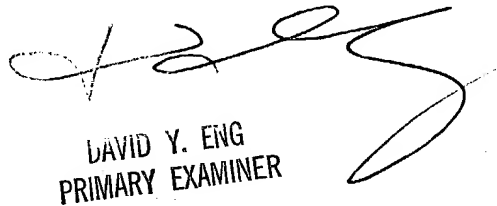
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2155

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to DAVID Y. ENG at telephone number 703-305-9691.



DAVID Y. ENG
PRIMARY EXAMINER